

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

DANIEL ENRIQUE PENA VELAZQUEZ  
DEBTOR(S)

CASE NO. 10-01521 (SEK)

CHAPTER 13

INFORMATIVE MOTION  
(AMENDED SCHEDULES I & J)

TO THE HONORABLE COURT:

Here come(s) Debtor(s), represented by the undersigned attorney, and represents as follows:

1. Debtor(s) inform(s) of the filing of **Amended Schedules J & I**, pursuant to Rule 1009, in order to:

Schedule I:

a. Reflect the debtors' household income, including his father's social security benefit and his mother's Nutritional Assistance Program benefit.

b. Also, to reflect debtor's household size of six members, including debtor. His sisters are minors and study and his brother, of legal age, is unemployed. Basically, the only member with regular income from employment is the debtor. Debtors' siblings statements are attached hereto.

Schedule J:

a. To reflect the total household expenses in contrast with total household income per month.

**WHEREFORE** applicant(s) pray(s) from this Honorable Court to take notice of the amended schedules.

**RESPECTFULLY SUBMITTED.**

**WHEREFORE**, the petitioning Creditor pray(s) from this Honorable Court to take notice of the aforementioned and allow the filing of the documents attached hereto.

**NOTICE:** Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

**CERTIFICATE OF SERVICE:** I hereby certify that on this same date I electronically filed the above document with the Clerk of the Court using the CM/ECF System which will send a notification of such filing to all CM/ECF participants in this case, including: WILFREDO SEGARRA MIRANDA, ESQ., Chapter 7 Trustee and to MONSITA LECAROZ ARRIBAS, ESQ., Assistant U.S. Trustee. Furthermore, I hereby certify that I mailed this document by First Class Mail postage prepaid to the non CM/ECF participants included in the attached master address list.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, April 14, 2010.

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## AMENDED SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status <b>Single</b>	DEPENDENTS OF DEBTOR AND SPOUSE	
	RELATIONSHIP(S):	
	<b>Mother</b>	AGE(S): <b>55</b>
	<b>Father</b>	<b>64</b>
	<b>Brother</b>	<b>21</b>
	<b>Sister</b>	<b>18</b>
	<b>Brother</b>	<b>17</b>
EMPLOYMENT:	DEBTOR	SPOUSE
Occupation <b>AGENT</b>		
Name of Employer <b>POLICIA DE PUERTO RICO</b>		
How long employed <b>10 years</b>		
Address of Employer <b>PO BOX 70166</b>		
<b>SAN JUAN, PR 00936-8166</b>		

## INCOME: (Estimate of average or projected monthly income at time case filed)

1. Current monthly gross wages, salary, and commissions (prorate if not paid monthly)  
2. Estimated monthly overtime

DEBTOR	SPOUSE
\$ <b>2,390.00</b>	\$ _____
\$ _____	\$ _____
<b>\$ 2,390.00</b>	\$ _____

**3. SUBTOTAL**

## 4. LESS PAYROLL DEDUCTIONS

\$ <b>199.14</b>	\$ _____
\$ <b>157.66</b>	\$ _____
\$ _____	\$ _____
\$ <b>551.68</b>	\$ _____
\$ _____	\$ _____

**5. SUBTOTAL OF PAYROLL DEDUCTIONS****6. TOTAL NET MONTHLY TAKE HOME PAY**

\$ <b>908.48</b>	\$ _____
<b>\$ 1,481.52</b>	\$ _____

7. Regular income from operation of business or profession or farm (attach detailed statement)

\$ _____	\$ _____
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8. Income from real property

\$ _____	\$ _____
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9. Interest and dividends

\$ _____	\$ _____
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10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above

\$ _____	\$ _____
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11. Social Security or other government assistance

\$ <b>450.00</b>	\$ _____
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(Specify) **FATHER'S SOCIAL SECURITY**

\$ <b>432.00</b>	\$ _____
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**GRANDMOTHER'S NUTRITIONAL PROGRAM (PAN)**

12. Pension or retirement income

\$ _____	\$ _____
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13. Other monthly income

\$ <b>83.33</b>	\$ _____
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(Specify) **CHRISTMAS BONUS**

\$ <b>100.00</b>	\$ _____
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**BENEFIT PAYMENT FROM HELTH INSURANCE**

\$ <b>69.45</b>	\$ _____
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**PAYMENT FOR ADDITIONAL HOURS**

**14. SUBTOTAL OF LINES 7 THROUGH 13**

\$ <b>1,134.78</b>	\$ _____
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**15. AVERAGE MONTHLY INCOME** (Add amounts shown on lines 6 and 14)

\$ <b>2,616.30</b>	\$ _____
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**16. COMBINED AVERAGE MONTHLY INCOME:** (Combine column totals from line 15; if there is only one debtor repeat total reported on line 15)

<b>\$ 2,616.30</b>	\$ _____
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(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

**None**

**AMENDED SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**  
**Continuation Sheet - Page 1 of 1**

	DEBTOR	SPOUSE
Other Payroll Deductions:		
AEELA Savings	70.06	
Retirement Plan	227.06	
Retirement Loan	236.56	
Union	18.00	

## AMENDED SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made biweekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

1. Rent or home mortgage payment (include lot rented for mobile home)	\$ _____
a. Are real estate taxes included? Yes _____ No <input checked="" type="checkbox"/>	
b. Is property insurance included? Yes _____ No <input checked="" type="checkbox"/>	
2. Utilities:	
a. Electricity and heating fuel	\$ 150.00
b. Water and sewer	\$ 50.00
c. Telephone	\$ _____
d. Other <u>CELLULAR</u>	\$ 80.00
3. Home maintenance (repairs and upkeep)	\$ _____
4. Food	\$ 800.00
5. Clothing	\$ 125.00
6. Laundry and dry cleaning	\$ 45.00
7. Medical and dental expenses	\$ 40.00
8. Transportation (not including car payments)	\$ 225.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$ 65.00
10. Charitable contributions	\$ 60.00
11. Insurance (not deducted from wages or included in home mortgage payments)	
a. Homeowner's or renter's	\$ _____
b. Life	\$ _____
c. Health	\$ _____
d. Auto	\$ _____
e. Other	\$ _____
12. Taxes (not deducted from wages or included in home mortgage payments) (Specify) <u>CAR LICENSE PRORRATED</u>	\$ 16.00
13. Installment payments: (in chapter 11, 12 and 13 cases, do not list payments to be included in the plan)	
a. Auto	\$ 357.00
b. Other <u>CAR MAINTENANCE</u>	\$ 25.00
<u>TOLL</u>	\$ 20.00
14. Alimony, maintenance, and support paid to others	\$ _____
15. Payments for support of additional dependents not living at your home	\$ _____
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$ _____
17. Other <u>See Schedule Attached</u>	\$ 620.00
	\$ _____
	\$ _____

18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)

\$ 2,678.00

19. Describe any increase or decrease in expenditures anticipated to occur within the year following the filing of this document:  
**None**

## 20. STATEMENT OF MONTHLY NET INCOME

a. Average monthly income from Line 15 of Schedule I	\$ 2,616.30
b. Average monthly expenses from Line 18 above	\$ 2,678.00
c. Monthly net income (a. minus b.)	\$ -61.70

## AMENDED SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Continuation Sheet - Page 1 of 1

Other Expenses	
BARBAER SHOP & HAIR SALON	75.00
LUNCHES AT WORK	100.00
BARBER	45.00
CONTINGENCY-EMERGENCY FUND	100.00
CONTRIBUTION TO PARENTS' EXPENSES-MEDICAL, CLOTHING AND PERSONAL CARE	300.00

IN RE PENA VELAZQUEZ, DANIEL ENRIQUE

Debtor(s)

Case No. 10-01521

(If known)

## AMENDED DECLARATION CONCERNING DEBTOR'S SCHEDULES

## DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 4 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date: April 14, 2010Signature: /s/ DANIEL ENRIQUE PENA VELAZQUEZ  
**DANIEL ENRIQUE PENA VELAZQUEZ**

Debtor

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

(Joint Debtor, if any)

[If joint case, both spouses must sign.]

## DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342 (b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required by that section.

Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer

Social Security No. (Required by 11 U.S.C. § 110.)

*If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs the document.*

Address

Signature of Bankruptcy Petition Preparer

Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:

*If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.*

*A bankruptcy petition preparer's failure to comply with the provision of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.*

## DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the \_\_\_\_\_ (the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership) of the \_\_\_\_\_ (corporation or partnership) named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of \_\_\_\_\_ sheets (total shown on summary page plus 1), and that they are true and correct to the best of my knowledge, information, and belief.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

(Print or type name of individual signing on behalf of debtor)

*An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.*

*Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.*

A quien puede interesar

Yo Lysandra Peña Velázquez con seguro social [REDACTED] -0191 certifico que soy hermana de Daniel E. Peña Velázquez y que actualmente no me encuentro trabajando.

Lysandra Peña Velázquez

Apt. B73, Las Piedras  
Puerto Rico 00771

A quien pueda interesar

Yo Isabella Lee Peña Velázquez con segno social  
██████████ certifico que soy hermana de  
Daniel E. Peña Velázquez. Actualmente estudio un  
curso de Técnico de Farmacia pero no estoy  
trabajando.

Jp. S. B - V. Velázquez  
APT 1373 PD. MONTES 1  
San Pedro de P.R 00771.

A quien pueda interesar

Yo Francisco J. Díaz Velázquez con el  
seguro social [REDACTED]-3979 certifico que  
no estoy trabajando actualmente y que  
me encuentro en gestiones de  
ingresar al cuerpo de la policía de  
Puerto Rico

Francisco J. Díaz Velázquez  
PS 1373  
Las Cédras P.R. 00221